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## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA JASPER DIVISION

CARY WADE,	)	
Plaintiff,	)	CIVIL ACTION NO.
vs.	)	6:12-CV-00659-LSC
COCA-COLA BOTTLING COMPANY UNITED, INC.,	)	
Defendant.	)	

## JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT AND DISMISSAL OF CLAIMS WITH PREJUDICE

Plaintiff Cary Wade ("Plaintiff") and Defendant Coca-Cola Bottling Company United, Inc. ("Defendant"), hereby jointly move for an order approving the agreement between the parties to resolve the above-styled action. As grounds for this motion, the parties state as follows:

- 1. This action was filed by Plaintiff Wade on February 27, 2012, alleging claims for unpaid overtime under the Fair Labor Standards Act ("FLSA"), as well as other claims.
- 2. Defendant denies that Plaintiff is entitled to any overtime compensation and contends that Plaintiff has been properly paid under the FLSA for all hours worked.
  - 3. In an effort to avoid expenses associated with the litigation of this

action and any appeal or post-verdict motions that may be filed, the parties have reached a settlement agreement and have memorialized the agreement in a document.

- 4. The parties are providing to the Court today, for *in camera review*, a copy of the settlement agreement signed by Plaintiff outlining the proposed payment to Plaintiff and his attorneys.
- 5. The settlement is a fair and reasonable compromise of Plaintiff's claims under the FLSA.
- 6. Upon approval of this agreement, the parties stipulate to the dismissal of this case with prejudice, with each party to bear its own costs.

Respectfully submitted this the 23rd day of October, 2012.

s/David R. Arendall

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